

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KENNY JACOBS,	:	
Petitioner	:	
	:	1:CR-01-139
v.	:	
	:	(Judge Kane)
	:	
UNITED STATES OF AMERICA, :		
Respondent	:	

ORDER

On November 30, 2001, Kenny Jacobs plead guilty to two charges in the above-captioned criminal case. He was sentence to 106 months imprisonment and judgment was entered to this effect on April 24, 2002. On March 11, 2005, Jacobs filed a “Motion for request to receive specified Court documents reproduced at Government expense pursuant to 28 U.S.C. § 2250 and 753(f).” (Doc. No. 84). Attached to the motion is an affidavit in support of request to proceed in forma pauperis. (Id. at 3). In the affidavit, Petitioner requests the assistance of this Court in preparing “petitioner’s ‘Motion Petitioning For Citation Authority Pursuant to Rule 28(j), Correction of 132 months Sentence Mandate, Due to New U.S. Supreme Court Decision on 01-12-5, Booker, 04-104 and Shepard, 03-9168, decided on 3-7-05.” (Id.) It is difficult to decipher exactly what Petitioner is hoping to accomplish with this document. The Court will not construe it as a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255, however, if Petitioner wishes to file such a motion, he shall do so using the attached form.

Insofar as Petitioner seeks copies of transcripts and other documents, Petitioner has neither an open criminal proceeding nor a pending habeas matter before this Court, and there is accordingly no basis to issue copies at Government expense. See 28 U.S.C. §§753(f); 2250. Therefore, **IT IS ORDERED THAT** Petitioner's motion (Doc. No. 84) is **DENIED** without prejudice to re-file.

S/ Yvette Kane
Yvette Kane
United States District Judge

Dated: March 25, 2005